

REMARKS

Claims 1-8 and 11-20 remain currently pending. In the Office Action, the Examiner rejected claims 1-2, 5-8, and 11-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,366,622 to Brown et al. ("Brown") in view of U.S. Patent Application Publication No. 2002/0090968 to Lee et al. ("Lee"); and rejected claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Lee and further in view of U.S. Patent No. 6,907,227 to Fujioka ("Fujioka").¹

Applicants respectfully traverse the rejection of claims 1-2, 5-8, and 11-20 under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Lee.

To establish obviousness based on a combination or suggestion of prior art, "Office personnel must articulate . . . a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference." M.P.E.P. § 2143.A.

Independent claim 1 recites, for example,

A master communication device capable of simultaneously communicating with slave communication devices within a first limited number determined in advance, comprising:

. . .

a connected number judgment unit configured to judge whether or not the number of said slave communication devices connected currently reaches a second limited number less than said first limited number; [and]

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

a release selection unit configured to select at least one of said slave communication devices to be released, when determined to have reached said second limited number.

Brown fails to teach or suggest at least these features of independent claim 1.

Brown teaches that “[a]n apparatus for use in wireless communications includes a radio, a modem and a controller integrated onto a single integrated circuit (IC). . . . The controller is coupled to the modem and includes a digital interface for external communications through which received data and data for transmission is sent, a connection state machine configured to accept commands through the digital interface and to respond to the commands by initiating a sequence, and a receive/transmit state machine configured to perform state control of the radio in response to the initiated sequence.” Brown, Abstract, emphasis added. However, Brown fails to even mention any “master communication device capable of simultaneously communicating with slave communication devices within a first limited number,” as recited in claim 1.

In fact, the Office Action acknowledges that “Brown does not specifically disclose a connected number judgment unit configured to judge whether or not the number of said slave communication devices connected currently reaches a second limited number less than said first limited number; a release selection unit configured to select at least one of said slave communication devices to be released, when determined to have reached said second limited number; and a communication release unit configured to release the selected slave communication device.” (Office Action at 3, emphases original.)

Lee fails to cure the deficiencies of Brown. Lee teaches that, “[i]n the wireless communication system, a slave device transmits a predetermined priority to the master

device, and a master device receives the predetermined priority from the slave device, and determines and assigns the slave device with a priority considering the predetermined priority." (Lee, Abstract.) Further, Lee teaches

The master device determines the level of the priority that is requested by the new slave device (step S203).

When the high priority is requested by the new slave device (step S204), the master device determines whether the current number of the slave devices of high priority in the Piconet is smaller than the predetermined maximum number of the slave devices that could have high priority in the Piconet, i.e., the high priority maximum number (step S210).

If the current number of the slave devices of high priority is smaller than the high priority maximum number, the master device assigns the high priority to the new slave device (step S212).

If the current number of slave devices of high priority is greater than or equal to the high priority maximum number, the master device determines whether the current number of slave devices of medium priority is smaller than the predetermined medium priority maximum number (step S214)

Lee, paras. [0063]-[0066], emphasis added.

That is, Lee merely teaches setting priority for slave devices and such priority does not correspond to releasing the connection with the slave devices. Thus, Lee's teaching of setting different priorities for the slave devices does not constitute "a release selection unit configured to select at least one of said slave communication devices to be released, when determined to have reached said second limited number," as recited in claim 1 (emphasis added). Lee fails to even mention any release related activity.

In fact, Lee also does not compare the maximum number of slaves of high priority with the maximum number of slaves of medium priority, or with any other

number. Lee's teaching of the maximum number of slaves of high priority and the maximum number of slaves of medium priority does not constitute "a connected number judgment unit configured to judge whether or not the number of said slave communication devices connected currently reaches a second limited number less than said first limited number," as recited in claim 1 (emphasis added).

To the contrary, according to the present invention as recited in claim 1, when the number of the slave communication devices for simultaneously communicating with the master communication device reaches the second limited number, connection of at least one of the slave communication devices under communication is released. Advantages of these features include, for example, limiting the number of the slave communication devices for simultaneously communicating with the master communication device to the maximum second limited number so that the slave communication device can communicate promptly, because even if the new slave communication device is being connected, the total number does not exceed the first limited number.

Therefore, Brown and Lee fail to teach or suggest all elements of claim 1 and a case of obviousness has not been established. Accordingly, Applicants respectfully request withdrawal of the Section 103(a) rejection of amended claim 1. Because claims 2 and 5-8 depend from claim 1, claims 2 and 5-8 are also allowable for at least the same reasons stated above.

Further, dependent claims 2 and 5-8 recite additional allowable subject matter. For example, Brown and Lee fail to teach or suggest at least "a waiting registration unit configured to register said slave communication device which issues said

communication request, in the issued order, when the number of currently connected slave communication devices is determined to have reached said second limited number,” as recited in claim 2 (emphasis added).

Therefore, Applicants also respectfully request withdrawal of the Section 103(a) rejection of dependent claims 2 and 5-8. Further, independent claims 11, 13, and 17, while of different scope, recite similar features to those of claim 1. Claims 11, 13, and 17 are therefore also allowable over Brown and Lee for at least the same reasons stated above with respect to claim 1. Applicants respectfully request withdrawal of the Section 103(a) rejection of claims 11, 13, and 17 and of claims 12, 14-16, and 18-20, which depend from claims 11, 13, and 17, respectively.

Applicants respectfully traverse the rejection of claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Lee and Fujioka.

Claims 3 and 4 depend from claim 1 and require all claim elements of claim 1. As explained above, Brown and Lee fail to teach or suggest at least the above listed features of claim 1. Fujioka fails to cure the deficiencies of Brown and Lee.

The Office Action alleges that “Fujioka discloses . . . in the step S10, one of the inactive slave terminals is selected based upon an order in which the slave terminals are placed in the active state.” (Office Action at 25.) Applicants respectfully disagree.

Even assuming this allegation is correct, which Applicants do not concede, Fujioka fails to teach or suggest at least the above listed features recited in claim 1 and required by claims 3 and 4. Therefore, claims 3 and 4 are allowable over Brown in view of Lee and Fujioka. Applicants respectfully request withdrawal of the Section 103 rejection of claims 3 and 4.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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